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Atty. Lkt. No. 074022-2901

2632

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MAYNARD et al.
Title: OPTICAL ASSAY DEVICE AND METHOD
Appl. No.: 09/905,146
Filing Date: July 12, 2001
Examiner: Unassigned
Art Unit: 2632

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231, on the date below.	
Jodie M. Price	
(Printed Name)	
(Signature)	
10/15/01	
(Date of Deposit)	

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Commissioner for Patents
Washington, D.C. 20231

Sir:

Transmitted herewith is:

- ☒ Information Disclosure Statement; and
- ☒ PTO Form 1449.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872 (Order No. 074022-2901). Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872 (Order No. 074022-2907).

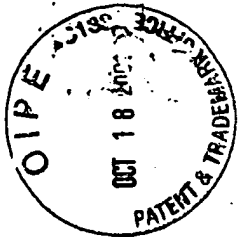
Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date October 15, 2001
FOLEY & LARDNER
Customer Number: 23620
402 W. Broadway, 23rd Floor
San Diego, CA 92101
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By
Michael A. Whittaker
Attorney for Applicant
Registration No. 46,230

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Atty. Dkt. No. 074022-2907

#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MAYNARD et al.
Title: OPTICAL ASSAY DEVICE AND METHOD
Appl. No.: 09/905,146
Filing Date: 07/12/2001
Examiner: Unassigned
Art Unit: 2632

<p>CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on the date below.</p> <p><u>Jodie M. Price</u> (Printed Name)</p> <p><u>[Signature]</u> (Signature)</p> <p><u>10/15/01</u> (Date of Deposit)</p>

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INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

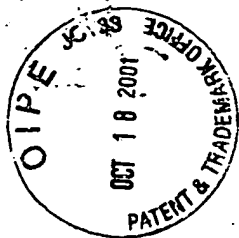
Commissioner for Patents
Washington, D.C. 20231

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Sir:

Applicants submit herewith on Form PTO-1449 a listing of the documents cited by or submitted to the U.S. PTO in parent application Serial No. 09/723,641, filed 03/18/1999. As provided in 37 CFR §1.98(d), copies of the documents are not being provided since they were previously submitted to the United States Patent & Trademark Office in the above-identified parent application.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.



BEST AVAILABLE COPY Atty. Dkt. No. 074022-2907

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872 (Order No. 074022-2907). Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872 (Order No. 074022-2907).

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